REMARKS

Careful consideration has been given to the Official Action of March 7, 2006 and reconsideration of the application as amended is respectfully requested.

Specification

The Examiner has called for submission of a substitute specification and attached hereto is such substitute specification. A marked copy showing the changes made is also attached. No new matter has been added.

In the substitute specification, the comments of the Examiner have been taken into account and appropriate amendatory action has been taken.

Specifically, the informalities noted by the Examiner on page 3 where reference to the claims has been made has been deleted as recommended.

Antecedent support is also now provided in the specification for all claimed subject matter.

With respect to the brief description of the drawings, the comments of the Examiner are not understood as only a single figure of drawing is present and this has been specifically denoted as such in the brief description of the drawings.

Claim Rejections - 35 U.S.C. 112

The Examiner has raised objection to claims 3-5 and 7-10 under 35 U.S.C. 112, 2nd paragraph.

In particular, the Examiner has found these claims to be vague and indefinite and appropriate amendatory action has been taken to clarify the intended meaning and to render these claims definite.

Claim Rejections

The Examiner has rejected claims 1 and 6 under 35 U.S.C. 102 as being anticipated by EP 0703149.

The Examiner has rejected claims 2-5 and 7-10 under 35 U.S.C. 103 as being unpatentable over EP 0703149 in view of Terranova.

The claims have been amended to cancel the phraseology of "element or means plus function" and by using only the terms used in the original specification as filed.
Claim 3 has been amended to recite a motor, which rotates the pulley and is speed-controlled.
Claims 4, 5, 9 and 10 have been amended so as to recite "a pulling force sufficient to unwind said tear-off ribbon off the relative said reel".

Claim 8 has been amended to specify that the motor rotates the pulley at a peripheral

speed equal to the peripheral speed of the reels.

Amended claims 1 and 10 recite, in part, the presence of a second traction assembly arranged between reel 13 and the joining station 22 for exerting a second pulling force on a portion of the tear-off ribbon extending between the reel and the joining station. EP0703149 does not disclose any second traction assembly arranged between the tear-off ribbon reel 13 and the joining station; in fact actuator 28 together with respective diverting roller 27 cannot be considered a traction assembly for exerting a pulling force on a portion of the tear-off ribbon, as it is only a compensating device for varying the length of the path of the tear-off ribbon. See for reference column 2, lines 31-35 of EP0703149: "diverting rollers 27, one of which is a compensating roller connected to an actuator 28 for moving the compensating roller transversely and so varying the length of path 12 for the reasons explained later on. Furthermore, see for reference column 3, lines 17-28 of EP0703149: where it is clear that no tension or drive of strip 3 is imparted "actuator 28 and the compensating roller provide for varying the length of path 12 to compensate for any minor differences in the above two speeds, with substantially no tension being applied to tear strip 3; and material 2 and tear strip 3 are pushed (as opposed to drawn) by motors 10 and 16 to station 23. Since, upstream from station 23, material 2 and tear strip 3 present substantially no tension and no difference in speed, strip 25 downstream from station 23 presents no difference in tension between material 2 and tear strip 3, both of which are subjected to the same tension by store 32."

From the above, it is evident that the second traction assembly recited in claims 1 and 6 has a motorized drive pulley (i.e. a pulley rotated by a motor) for pulling the tear-off ribbon,

i.e. applying action force whereas the compensating device of EP0703149 has an idle roller 27 moved up and down by the actuator 28 without pulling, in any way, the tear-off ribbon. Furthermore, the second traction assembly recited in claims 1 and 6 has a pulley 28 which rotates but does not translate and thus cannot vary the length of the path of the tear-off ribbon; on the contrary, compensating device of EP0703149 has a movable idle roller and thus can vary the length of the path of the tear-off ribbon.

In sum, EP0703149 does not disclose the presence of a second traction assembly arranged between the tear-off ribbon reel and the joining station for exerting a second pulling force on a portion of the tear-off ribbon extending between the reel and the joining station. Accordingly, EP0703149 cannot anticipate claims 1 and 6. Furthermore, EP 0703149 does not suggest or render obvious the claims as it teaches away from the invention. In order to reach the invention as claimed in claims 1 and 6, one would have to completely disregard the teachings given by EP0703149, which has a compensating device arranged between the respective reel and the joining station. There would be no suggestion to discard these teachings without using applicants own disclosure as a template, and no such suggestion can be found in the reference in any event. "To establish prima face obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art" MPEP § 2143.03.

Accordingly, claims 1 and 6 are considered allowable. Dependent claims 2-5 and 7-10 depend on claims 1 and 6 respectively and thus are also allowable. With respect to Terranova cited by the Examiner for disclosing torque applied to roller 48, the torque is varied, i.e. to accelerate the roller 48 when starting from 0 speed and not for producing a pulling force F2 on the tear-off ribbon which is in addition to pulling force F1 applied by the first traction

assembly. Furthermore, the sum of F1 and F2 is adapted to unwind the tear-off ribbon off its reel. Furthermore, the proposed combination of EP 0703149 and Terranova is respectfully traversed as it would not be obvious to apply torque to the guide roller of EP 0703149 to produce two simultaneous pulling forces which is not disclosed in either reference. Moreover, Terranova shows a single strip rather than two strips combined into a composite.

CONCLUSION

In view of the foregoing action and remarks, it is submitted that the claims now present in this application are in good and proper form for allowance. A favorable action on the part of the examiner is respectfully solicited. If, in the opinion of the examiner a telephone conference would expedite prosecution of the subject application, the examiner is invited to call the undersigned attorney.

Respectfully submitted,

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